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Twentieth special session

VERBATIM RECORD OF THE SIXTEEN HUNDRED AND SEVENTY-THIRD MEETING

Held at Headquarters, New York,
on Monday, 8 January 1990, at 3 p.m.

Acting President: Mr. FARAH (Under-Secretary-General)

- Opening of the twentieth special session
- Adoption of the agenda
- Election of the President and the Vice-President
- Report of the Secretary-General on Credentials
- Letter dated 19 December 1989 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1940) containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe the plebiscite scheduled for 6 February 1990 in Palau on the Compact of Free Association
- Examination of Petitions related to item 4 of the agenda
- Report of the Trusteeship Council covering the twentieth special session
- Closure of the session

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The meeting was called to order at 3.10 p.m.

OPENING OF THE TWENTIETH SPECIAL SESSION

Mr. FARAH (Under-Secretary-General, Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship): I declare open the twentieth special session of the Trusteeship Council.

As members are aware, this special session is convened at the request of the United States of America (T/1940) to consider the dispatch of a mission to observe a plebiscite in Palau on the Compact of Free Association, scheduled for 6 February 1990.

ADOPTION OF THE AGENDA (T/1941/Rev.1)

Mr. FARAH (Under-Secretary-General, Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship): I should like to draw members' attention to the Council's provisional agenda in document T/1941/Rev.1.

If I hear no comments, I shall consider that the agenda for the twentieth special session is adopted.

The agenda was adopted.

ELECTION OF THE PRESIDENT AND THE VICE-PRESIDENT

Mr. FARAH (Under-Secretary-General, Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship): In accordance with rule 21 of the rules of procedure of the Trusteeship Council, I now invite members of the Council to elect a President. This election will be carried out by secret ballot pursuant to rule 41 of the rules of procedure of the Trusteeship Council.

A vote was taken by secret ballot.

Mr. Thomas Richardson (United Kingdom) was elected President unanimously.

Mr. FARAH (Under-Secretary-General, Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship): I congratulate Mr. Richardson, and invite him to preside over the meeting.

The PRESIDENT: I am very grateful to all members for the confidence they have shown in me by electing me President for this special session.

I am sure I speak for all members in expressing our joint thanks to our former President, Mr. John Birch, who has now taken up another assignment away from New York.

If I may add a personal note, I feel particularly privileged to be serving in this capacity as someone who had the honour to participate in the Council's proceedings some years ago. I have a very warm memory of the Council's work, and I can assure all members that I shall be wholly committed to fulfilling the Council's important responsibilities.

We shall now proceed to the election of the Vice-President of the Council.

A vote was taken by secret ballot.

Mrs. Anne Gazeau-Secret (France) was elected Vice-President unanimously.

The PRESIDENT: I am sure I speak for all of us in congratulating Mrs. Gazeau-Secret on her election. I know that her deep experience of the United Nations will stand us all in good stead.

Mrs. GAZEAU-SECRET (France) (interpretation from French): I wish to thank all members of the Council for having elected me Vice-President and for the confidence in me they have thus expressed.

I wish to congratulate you, Sir, on your election as President of the Trusteeship Council. I am, of course, very pleased indeed to be participating in the work of the Council in my capacity as Vice-President, and would assure you that I shall co-operate with you to the best of my ability.

The PRESIDENT: I wish to inform members of the Council that the delegations of Fiji and Papua New Guinea have requested to sit at the Council table during the current special session. In accordance with rule 12 of the rules of procedure of the Trusteeship Council, and with the consent of the Council, I propose to invite those representatives to take places at the Council table and to participate, without the right to vote, in the Council's deliberations.

If I hear no objection, I shall take it that the Council agrees to my proposal.

At the invitation of the President, Mr. Savua (Fiji) and Mr. Eri (Papua New Guinea) took places at the Council table.

REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS

The PRESIDENT: I should like to inform members of the Council that the Secretary-General has still not received the credentials of all members of the Council. May I suggest, therefore, that formal credentials, required pursuant to rule 14 of the rules of procedure, be submitted to the Secretary-General as soon as possible by the States that have not already done so. The Council will take up this item at its regular fifty-seventh session and consider the report of the Secretary-General on credentials relating to the twentieth special session.

If there are no objections, it will be so decided.

It was so decided.

LETTER DATED 19 DECEMBER 1989 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL (T/1940) CONTAINING A REQUEST FOR A SPECIAL SESSION OF THE TRUSTEESHIP COUNCIL TO CONSIDER THE DISPATCH OF A MISSION TO OBSERVE A PLEBISCITE TO BE HELD ON 6 FEBRUARY 1990 IN PALAU ON THE COMPACT OF FREE ASSOCIATION

The PRESIDENT: The Council will now turn to the main purpose of the convening of the twentieth special session. I should like in this connection to call attention to item 4 of the Council's agenda, which refers to a letter dated 19 December 1989 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1940). It contains a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite scheduled for 6 February 1990 in Palau on the Compact of Free Association.

I call on the representative of the United States, the Administering Authority.

Mr. WILKINSON (United States of America): Mr. President, I am very happy to congratulate you on your unanimous election as President of the Trusteeship Council. My delegation would also like to record its appreciation for the wise and effective management of your predecessor, Mr. John Birch. I also extend congratulations to Mrs. Anne Gazeau-Secret on her unanimous election as Vice-President, and thank her distinguished predecessor, Mr. Jean-Michel Gaussot.

I should like to express my delegation's appreciation to the Council for agreeing unanimously to convene this special session. Our meeting here today is to consider whether to honour the request of the people of Palau that the Trusteeship Council dispatch a visiting mission to the Trust Territory of the Pacific Islands to observe the 6 February plebiscite on the Compact of Free Association. The dispatch of such a mission is consistent with the remaining

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(Mr. Wilkinson, United States)

oversight responsibilities of the Trusteeship Council pursuant to resolution 2183 (LIII). The conduct and outcome of this plebiscite will be important to the people and the Government of Palau, as well as to us, as the Administering Authority. We are therefore convinced that this plebiscite merits the attention of the Council.

In this connection I should like to convey the text of the 15 December letter from the President of the Republic of Palau to the United States Government. It reads as follows:

"As you know, on November 24, 1989, I signed Executive Order No. 84, designating February 6, 1990 as the date for the seventh referendum and plebiscite in Palau on the Compact of Free Association between the United States and the Republic of Palau. The issues of this Order followed passage by the U.S. Congress of House Joint Resolution 175, the legislation to implement the Compact.

"Accordingly, I am hereby requesting that the United States Government formally request the United Nations to designate an observation team to travel to Palau to observe the referendum and plebiscite to be held in Palau on February 6, 1990."

My Government endorses that request for a visiting mission to observe the plebiscite in Palau. Our experience, and the reports of a succession of United Nations Visiting Missions, attest to the strength of the democratic institutions in Palau and to the free and fair conduct of their votes.

A mission to observe the 6 February plebiscite will enable the Council and the world to ascertain that the people of Palau are freely choosing their own future political status. In the past the Council has sought the participation of

(Mr. Wilkinson, United States)

representatives of other nations in the Pacific region. My Government would welcome the continuation of that practice in the case of this mission.

If, as my delegation hopes, the Trusteeship Council decides to dispatch an observer mission to Palau, the Administering Authority stands ready to extend its full co-operation.

The PRESIDENT: I thank the representative of the United States for his kind words addressed to me. Before proceeding, I am sure I speak for all members of the Council in asking our newly elected Vice-President to convey to her predecessor, Mr. Gaussot, our warm thanks and appreciation for the work he undertook while still in New York.

Does any member wish to make a statement or to address questions to the representative of the Administering Authority? If I hear no comments, I shall now call on the representative of the United Kingdom, who wishes to introduce draft resolution T/L.1272, concerning the question of the dispatch of a mission to observe the plebiscite in Palau. Before I do so, I should like to draw the attention of members to document T/L.1273, relating to the financial implications of the draft resolution before us.

Mr. SMITH (United Kingdom): On behalf of the delegations of France and the United Kingdom, I have the honour to introduce draft resolution T/L.1272, concerning the arrangements for the dispatch of a visiting mission to observe the plebiscite in Palau on 6 February this year. A decision to send a mission would be a positive response by the Council to the request we have just received from the President of Palau. It would be in accordance with past practice and fully consistent with the Council's long-standing commitment to the right of self-determination of the people of Palau.

As Council members can see, the draft resolution follows closely the wording of similar resolutions adopted at previous special sessions. On this occasion, the draft resolution would provide for a mission of five members. The mission would consist of those members of the Council who in earlier consultations have indicated their willingness to participate in the mission, as well as representatives of two countries of the region.

The mission would be directed to observe the plebiscite, specifically the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results. Sufficient time has also been allowed for the mission to see something of the preparations for the plebiscite, including the final stages of the campaign and the political education process. On its return, the mission would report to the Trusteeship Council in the usual way.

I therefore trust that Council members will soon be ready to take a decision on the draft resolution. I commend it to them.

Mrs. GAZEAU-SECRET (France) (interpretation from French): As the representative of the United Kingdom has just stated, my delegation is a co-sponsor of the draft resolution in document T/L.1272. We were indeed very pleased to learn

(Mrs. Gazeau-Secret, France)

that a plebiscite on the Compact of Free Association with the United States was to take place on 6 February 1990 in Palau.

In accordance with France's consistent position, it is our hope that the population of Palau will be able to realize fully its aspirations by exercising its right to self-determination. We are therefore in favour of the mission to be sent to the Territory to oversee the plebiscite to be held on 6 February 1990 and, of course, we support all the provisions of the draft resolution.

The PRESIDENT: It is my understanding that the members of the Council are prepared to waive rule 57 of the rules of procedure, which specifies that copies of draft resolutions should be circulated to the members twenty-four hours in advance of the meeting at which they are to be considered.

If there are no objections, it will be so decided.

It was so decided.

The PRESIDENT: Before proceeding to a vote, may I now ask whether there are any further comments on the draft resolution?

Mr. BYKOV (Union of Soviet Socialist Republics) (interpretation from Russian): Firstly, allow me to congratulate you, Mr. President, and the representative of France on your unanimous election to the posts of President and Vice-President of the Trusteeship Council, respectively, and to voice our conviction that under your leadership, Sir, and with the assistance of the newly elected Vice-President the Trusteeship Council will successfully perform its duties. I wish you every possible success in this responsible task.

At the same time, I should like to pay a tribute to the former President of the Trusteeship Council, Mr. Birch, and the former Vice-President of the Trusteeship Council, Mr. Gaussot.

(Mr. Bykov, USSR)

I have not asked to speak only to comment on the draft resolution in document T/L.1272, but, rather, to explain our vote as well. If I may, I shall proceed accordingly.

This twentieth special session of the Trusteeship Council has before it the request of the United States of America, to consider sending a mission to observe the holding in Palau, on 6 February 1990, of a plebiscite regarding the so-called Compact of a Free Association. Palau, as the Council knows, is part of a single strategic Trust Territory, the Pacific Islands of Micronesia, which has been under the administration of the United States in accordance with the Trusteeship Agreement between the United States of America and the United Nations, as confirmed by the Security Council.

Dividing this Territory into small parts and imposing on each of them, by the actions of the Administering Authority, all kinds of dependency statuses, through unjust agreements is at variance with the Trusteeship Agreement, the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Now it is proposed once again that we send a mission to Palau to observe the holding of yet another - in fact the ninth - plebiscite regarding the Compact to which I have referred. It must be recalled that every time the results the Administering Authority did not expect were obtained, it pressed for the planning of yet another plebiscite. The only purpose of this is to secure agreement to this Compact at all costs. In this way the Administering Authority is bent upon obtaining the results it would like to see by hook or by crook, and this in itself cannot but cause our objection.

The assertion that the people of Micronesia have been given an opportunity freely to exercise their right to self-determination is completely groundless. The

(Mr. Bykov, USSR)

imposition, on individual parts of Micronesia, of so-called plebiscites, is simply to camouflage unsavoury activities on the part of the Administering Authority regarding Micronesia.

How can we talk about free expressions of will on the part of the people of Micronesia in such conditions? Here, rather, what we have are artificial barriers being created to the people of Micronesia exercising their right to genuine self-determination and independence.

(Mr. Bykov, USSR)

The position of the Soviet Union on the question of Micronesia is well known. The Soviet delegation has frequently drawn attention to the fact that the so-called covenants and compacts regarding various parts of that single Trust Territory have been elaborated behind the back of the United Nations, in circumvention of the Security Council, and have been imposed in violation of the Trusteeship Agreement. They therefore cannot be regarded as valid.

In accordance with the provisions of the Charter of the United Nations on the Trusteeship Agreement, the United Nations bears responsibility for Micronesia. Only the Security Council can alter the status of that Trust Territory or put an end to the terms of the Trusteeship Agreement.

For those reasons, the Soviet delegation cannot agree with the proposal to send a mission to Palau. We will therefore vote against the draft resolution (T/L.1272) on the matter.

The PRESIDENT: I now put to the vote draft resolution T/L.1272.

Draft resolution T/L.1272 was adopted by 4 votes to 1.

The PRESIDENT: Members will note that, by the resolution just adopted, the Council decided, inter alia, that the Visiting Mission should be composed of not more than five members. Accordingly, the Mission will be composed of the representatives of China, Fiji, France, Papua New Guinea and the United Kingdom. Following past practice, I suggest that the Council decide that the names of the persons to be submitted by the Governments concerned be approved automatically as soon as they are received. May I take it that members agree to that suggestion?

It was so decided.

The PRESIDENT: I now call on the representative of the United States, in exercise of the right of reply.

Mr. WILKINSON (United States of America): I should like to bring to the attention of the Council that much of what my Soviet colleague said was not relative to the issue before us. Suffice it to say that the freely expressed will of the people is, always has been, and always will be our sole guide.

The object and purpose of the Visiting Mission is to observe that the people of Palau be freely determining its own future. It is to be regretted that our Soviet colleague has chosen to distort the situation in so anachronistic a manner.

The PRESIDENT: We have now concluded consideration of agenda item 4.

EXAMINATION OF PETITIONS RELATED TO ITEM 4 OF THE AGENDA

The PRESIDENT: I understand that the Council has not received any petitions relating to item 4 of our agenda. In the absence of such petitions, I suggest that the Council take note of this.

It was so decided.

REPORT OF THE TRUSTEESHIP COUNCIL COVERING THE TWENTIETH SPECIAL SESSION

The PRESIDENT: If I hear no objection, I propose that the Council authorize the Secretariat, in consultation with the President and members of the Council, to prepare a report on the work of the twentieth special session and to include it in the next annual report of the Trusteeship Council on its activities during the fifty-seventh regular session, which is to take place during the month of May this year.

It was so decided.

CLOSURE OF THE SESSION

The PRESIDENT: The Council has thus concluded its consideration of the items on its agenda.

I should like to thank all members very warmly and sincerely for the assistance and co-operation which they have extended to me in the performance of my work, thus enabling the Council to conclude expeditiously and speedily the programme before it.

(The President)

My thanks also go to our secretariat, including the conference officers and the interpreters. I wish to thank also the members of the specialized agencies who were represented here today. The members of the Council will meet again in a few months at the opening of the next regular session.

I now declare closed the twentieth special session of the Trusteeship Council.

The meeting rose at 3.45 p.m.